

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY**

THOMAS DEL GATTO,

Plaintiff,

-against-

HOUSTON'S RESTAURANTS, INC.;
JOHN DOES 1-10 and JANE DOES 1-10,

Defendants.

Case No: _____

NOTICE OF REMOVAL

PLEASE TAKE NOTICE THAT, pursuant to 28 U.S.C. §§ 1332(a)(1), 1441 and 1446, defendant Hillstone Restaurant Group, Inc. (erroneously sued as Houston’s Restaurants, Inc.) (“Defendant”) hereby removes this action from the Superior Court of New Jersey, Law Division: Bergen County, to the United States District Court for the District of New Jersey. In support of this notice, Defendant states:

1. Plaintiff Thomas Del Gatto (“Plaintiff”) commenced this action by filing a Summons and Complaint in the Superior Court of New Jersey, Law Division, Bergen County under Docket No. L-9899-11.

2. Plaintiff served Defendant with a copy of the Summons and Complaint on or about December 13, 2011. This Notice of Removal is timely under 28 U.S.C. § 1446(b), as it is filed within thirty days after the receipt by Defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based. 28 U.S.C. § 1446(b).

3. The Superior Court of New Jersey, Law Division, Bergen County is located within the district of the United States District Court for the District of New Jersey.

4. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders served upon the removing Defendant, which papers include the Summons and Complaint, are attached hereto as Exhibit A.

5. This Court has original jurisdiction over this action under the 28 U.S.C. § 1332(a) because it is a civil action in which the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different states.

6. On the face of the Complaint, Plaintiff expressly seeks damages in an amount of \$1 million, exclusive of interest and costs.

7. On the face of the Complaint, Plaintiff is a citizen and resident of the State of New Jersey.

8. At the time this action was commenced, defendant Hillstone Restaurant Group, Inc. was, and currently is, a Delaware corporation with its principal place of business in Phoenix, Arizona.

9. Defendant hereby appears solely for the purpose of removal and for no other purpose and reserves all defenses available to it.

10. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being filed with the Clerk of the Superior Court of New Jersey, Law Division, Bergen County, and is being served on Plaintiff.

11. Defendant reserves the right to amend or supplement this Notice of Removal.

WHEREFORE, Defendant prays that the above action, now pending in the Superior Court of New Jersey, Law Division, Bergen County, be removed to the United States District Court for the District of New Jersey.

Dated: White Plains, New York
January 3, 2012

YANKWITT & McGUIRE, LLP

By: /s/
Aytan Y. Bellin, Esq.
Attorneys for Defendant
140 Grand Street, Suite 501
White Plains, New York 10601
Tel: (914) 686-1500
Fax: (914) 801-5930

EXHIBIT A

Attorney(s) Carlet, Garrison, Klein & Zaretsky, L.L.P.
 Office Address 1135 Clifton Avenue, Suite #104
P.O. Box 2666
 Town, State, Zip Code Clifton, New Jersey 07015
 Telephone Number (973) 777-6200
 Attorney(s) for Plaintiff Thomas Del Gatto

**Superior Court of
New Jersey**

Bergen COUNTY
Law DIVISION

THOMAS DEL GATTO

Docket No: L-9899-11

 Plaintiff(s)

Vs.

HOUSTON'S RESTAURANTS, INC.; JOHN DOES 1-10

and JANE DOES 1-10

 Defendant(s)

**CIVIL ACTION
SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

JS
 Jennifer M. Perez,
 Clerk of the Superior Court

DATED: 12/13/2011

Name of Defendant to Be Served: HOUSTON'S RESTAURANTS, INC.

Address of Defendant to Be Served: 1 Riverside Square Mall #181, Hackensack, New Jersey 07601

NOTE: The Case Information Statement is available at www.njcourts.com.

**Directory of Superior Court Deputy Clerk's Offices
County Lawyer Referral and Legal Services Offices**

ATLANTIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division, Direct Filing
1201 Bachearach Blvd., First Fl.
Atlantic City, NJ 08401

LAWYER REFERRAL

(609) 345-3444

LEGAL SERVICES

(609) 348-4200

BERGEN COUNTY:

Deputy Clerk of the Superior Court
Civil Division, Room 115
Justice Center, 10 Main St.
Hackensack, NJ 07601

LAWYER REFERRAL

(201) 488-0044

LEGAL SERVICES

(201) 487-2166

BURLINGTON COUNTY:

Deputy Clerk of the Superior Court
Central Processing Office
Attn: Judicial Intake
First Fl., Courts Facility
49 Rancocas Rd.
Mt. Holly, NJ 08060

LAWYER REFERRAL

(609) 261-4862

LEGAL SERVICES

(800) 496-4570

CAMDEN COUNTY:

Deputy Clerk of the Superior Court
Civil Processing Office
Hall of Justice
1st Fl., Suite 150
101 South 5th Street
Camden, NJ 08103

LAWYER REFERRAL

(856) 964-4520

LEGAL SERVICES

(856) 964-2010

CAPE MAY COUNTY:

Deputy Clerk of the Superior Court
9 N. Main Street
Cape May Court House, NJ 08210

LAWYER REFERRAL

(609) 463-0313

LEGAL SERVICES

(609) 465-3001

CUMBERLAND COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
60 West Broad Street
P.O. Box 10
Bridgeton, NJ 08302

LAWYER REFERRAL

(856) 696-5550

LEGAL SERVICES

(856) 691-0494

ESSEX COUNTY:

Deputy Clerk of the Superior Court
Civil Customer Service
Hall of Records, Room 201
465 Dr. Martin Luther King Jr. Blvd.
Newark, NJ 07102

LAWYER REFERRAL

(973) 622-6204

LEGAL SERVICES

(973) 624-4500

GLOUCESTER COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
Attn: Intake
First Fl., Court House
1 North Broad Street
Woodbury, NJ 08096

LAWYER REFERRAL
(856) 848-4589
LEGAL SERVICES
(856) 848-5360

HUDSON COUNTY:

Deputy Clerk of the Superior Court
Superior Court, Civil Records Dept.
Brennan Court House—1st Floor
583 Newark Ave.
Jersey City, NJ 07306

LAWYER REFERRAL
(201) 798-2727
LEGAL SERVICES
(201) 792-6363

HUNTERDON COUNTY:

Deputy Clerk of the Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08822

LAWYER REFERRAL
(908) 735-2611
LEGAL SERVICES
(908) 782-7979

MERCER COUNTY:

Deputy Clerk of the Superior Court
Local Filing Office, Courthouse
175 S. Broad Street, P.O. Box 8068
Trenton, NJ 08650

LAWYER REFERRAL
(609) 585-6200
LEGAL SERVICES
(609) 695-6249

MIDDLESEX COUNTY:

Deputy Clerk of the Superior Court,
Middlesex Vicinage
2nd Floor - Tower
56 Paterson Street, P.O. Box 2633
New Brunswick, NJ 08903-2633

LAWYER REFERRAL
(732) 828-0053
LEGAL SERVICES
(732) 249-7600

MONMOUTH COUNTY:

Deputy Clerk of the Superior Court
Court House
P.O. Box 1269
Freehold, NJ 07728-1269

LAWYER REFERRAL
(732) 431-5544
LEGAL SERVICES
(732) 866-0020

MORRIS COUNTY:

Morris County Courthouse
Civil Division
Washington and Court Streets
P. O. Box 910
Morristown, NJ 07963-0910

LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 285-6911

OCEAN COUNTY:

Deputy Clerk of the Superior Court
118 Washington Street, Room 121
P.O. Box 2191
Toms River, NJ 08754-2191

LAWYER REFERRAL
(732) 240-3666
LEGAL SERVICES
(732) 341-2727

PASSAIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division
Court House
77 Hamilton Street
Paterson, NJ 07505

LAWYER REFERRAL
(973) 278-9223
LEGAL SERVICES
(973) 523-2900

SALEM COUNTY:

Deputy Clerk of the Superior Court
Attn: Civil Case Management Office
92 Market Street
Salem, NJ 08079

LAWYER REFERRAL
(856) 935-5629
LEGAL SERVICES
(856) 451-0003

SOMERSET COUNTY:

Deputy Clerk of the Superior Court
Civil Division
P.O. Box 3000
40 North Bridge Street
Somerville, N.J. 08876

LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 231-0840

SUSSEX COUNTY:

Deputy Clerk of the Superior Court
Sussex County Judicial Center
43-47 High Street
Newton, NJ 07860

LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 383-7400

UNION COUNTY:

Deputy Clerk of the Superior Court
1st Fl., Court House
2 Broad Street
Elizabeth, NJ 07207-6073

LAWYER REFERRAL
(908) 353-4715
LEGAL SERVICES
(908) 354-4340

WARREN COUNTY:

Deputy Clerk of the Superior Court
Civil Division Office
Court House
413 Second Street
Belvidere, NJ 07823-1500

LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(908) 475-2010

CARLET, GARRISON, KLEIN
& ZARETSKY, L.L.P.

1135 Clifton Avenue, Suite 104

P.O. Box 2666

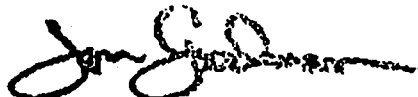
Clifton, New Jersey 07015

(973) 777-6200

Attorneys for Plaintiff, Thomas Del Gatto

SUPERIOR COURT BERGEN COUNTY
FILED

NOV - 5 2011


CLERK

THOMAS DEL GATTO,

Plaintiff,

v.

HOUSTON'S RESTAURANTS, INC.;
JOHN DOES 1-10 and JANE DOES 1-10,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY
DOCKET NO.

Civil Action

L 9899-4

COMPLAINT

Plaintiff, THOMAS DEL GATTO, by way of complaint against defendant, says:

INTRODUCTORY STATEMENT

1. Thomas Del Gatto ("Del Gatto") is a resident of Englewood Cliffs, Bergen County, New Jersey. He is a prominent member of the business community and an owner of one of the premier catering halls in northern New Jersey.
2. Houston's Restaurants, Inc. ("Houston's") is a restaurant chain with various locations, the subject location being in Hackensack, Bergen County, New Jersey.
3. John Does 1-10 and Jane Does 1-10 are agents, employees or servants (hereinafter "agents") of the defendant, whose names are presently unknown.
4. Del Gatto was a frequent diner at Houston's and well-known among both the employees and other patrons, many of whom were his acquaintances.

5. In or about the last week of August 2011, Del Gatto; Jayne, his long-time friend; and another couple, Dr. & Mrs. Chesler, were dining together at Houston's.

6. Dr. Chesler and his wife were accosted by another couple, one of whom was a former employee of the doctor. Del Gatto was not part of the dispute nor did he know the other couple.

7. Del Gatto tried to diffuse the situation between the two parties; however, agents of the defendant attempted to eject not only the disputing parties but also Del Gatto, *inter alia*, by grabbing his arm.

8. Del Gatto advised agents of the defendant that he had no involvement in the matter and was not the cause or continuation of the incident. Despite such advisement, agents of the defendant wrongfully accused Del Gatto of being involved in the altercation. Further, agents of the defendant called mall security and ultimately the Hackensack Police.

9. Del Gatto was escorted from the premises, much to his embarrassment.

FIRST COUNT

(Defamation)

1. Plaintiff reasserts and realleges each and every allegation in the Introductory Statement with the same force and effect as if set forth herein at length.

2. Defendant, through its agents, made a false, defamatory statement of fact and acted negligently in failing to ascertain the truth or falsity of the statements before communicating the statement, acting in reckless disregard of its truth or falsity, said accusations being slanderous *per se*.

WHEREFORE, plaintiff demands judgment against defendant for compensatory damages, consequential damages, punitive damages, attorney's fees, costs of suit, and such other and further relief as may be equitable and just.

SECOND COUNT

(Intentional Infliction of Emotional Distress)

1. Plaintiff reasserts and realleges each and every allegation in the Introductory Statement and the First Count with the same force and effect as if set forth herein at length.
2. Defendant, through its agents, directed extreme and outrageous conduct toward plaintiff, intentionally or recklessly in disregard of the probability that emotional distress would follow.

WHEREFORE, plaintiff demands judgment against defendant for compensatory damages, consequential damages, punitive damages, attorney's fees, costs of suit, and such other and further relief as may be equitable and just.

THIRD COUNT

(Battery)

1. Plaintiff reasserts and realleges each and every allegation in the Introductory Statement and the First and Second Counts with the same force and effect as if set forth herein at length.
2. Agents of the defendant intentionally and without consent, with a wanton disregard of the plaintiff's personal rights and sensitivities, grabbed plaintiff by the arm in an attempt to wrongly eject him.

WHEREFORE, plaintiff demands judgment against defendant for compensatory damages, consequential damages, punitive damages, attorney's fees, costs of suit, and such other and further relief as may be equitable and just.

DEMAND FOR JURY

Plaintiff hereby demands a trial by jury of six (6) on all issues.

DEMAND FOR DAMAGES

Plaintiff hereby demands damages in the amount of \$1,000,000.00.

DESIGNATION OF TRIAL COUNSEL

Plaintiff hereby designates Charles Rabolli, Jr., Esq. as Trial Counsel in this matter.

DATED: Clifton, New Jersey
December 2, 2011

CARLET, GARRISON, KLEIN
& ZARETSKY, L.L.P.
Attorneys for Plaintiff/Thomas Del Gatto

By: 
CHARLES RABOLLI, JR.



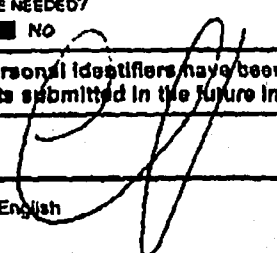
CERTIFICATION AS TO OTHER PENDING ACTIONS

I hereby certify that the matters in controversy are not the subject of any other actions pending in any Court or of a pending arbitration proceeding, and no other actions or arbitration proceeding is contemplated at present.

DATED: December 2, 2011


CHARLES RABOLLI, JR.

Appendix XII-B1

CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY	
 <p>Use for initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:6-6(c), if information above the black bar is not completed or attorney's signature is not affixed</p>		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CO <input type="checkbox"/> CA	
		CIG/CK NO.	
		AMOUNT:	
		OVERPAYMENT:	
		BATCH NUMBER:	
ATTORNEY/PRO SE NAME Charles Raboll, Jr., Esq.		TELEPHONE NUMBER (973) 777-8200	
COUNTY OF VENUE Bergen			
FIRM NAME (if applicable) Carlet, Garrison, Klein & Zaretsky, L.L.P.		DOCKET NUMBER (when available) L 9899-11	
OFFICE ADDRESS 1135 Clifton Avenue, Suite 104 Clifton, New Jersey 07013		DOCUMENT TYPE Complaint	
		JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
NAME OF PARTY (e.g., John Doe, Plaintiff) THOMAS DEL GATTO, Plaintiff		CAPTION THOMAS DEL GATTO, Plaintiff v. HOUSTON'S RESTAURANTS, INC.; JOHN DOES 1-10 and JANE DOES 1-10, Defendants	
CASE TYPE NUMBER (See reverse side for listing)		IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.	
RELATED CASES PENDING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, LIST DOCKET NUMBERS	
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN	
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION			
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input checked="" type="checkbox"/> BUSINESS	
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION			
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION	
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE?	
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).			
ATTORNEY SIGNATURE: 			

Slide 2



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 508 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 514 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 601 AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 602 AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 603 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Centrally Managed Litigation (Track IV)

- 290 ZELNORM
- 265 STRYKER TRIDENT HIP IMPLANTS
- 288 PRUDENTIAL TORT LITIGATION

- 290 POMPTON LAKES ENVIRONMENTAL LITIGATION
- 291 PELVIC MESH/GYNECARE
- 292 PELVIC MESH/BARD

Mass Tort (Track IV)

- 248 CIBA GEIGY
- 266 HORMONE REPLACEMENT THERAPY (HRT)
- 271 ACCUTANE
- 274 RISPERDAL/SEROQUEL/ZYPREXA
- 275 ORTHO EVRA
- 277 MAHWAH TOXIC DUMP SITE
- 278 ZOMETHA/AREDIA
- 279 GADOLINIUM

- 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL
- 282 FOSAMAX
- 283 DIGITEK
- 284 NUVARING
- 286 LEVAQUIN
- 287 YAZ/YASMIN/VOCELLA
- 601 ASBESTOS

If you believe this case requires a track other than that provided above, please indicate the reason on Slide 1, in the space under "Case Characteristics."

Please check off each applicable category ☐ Putative Class Action ☐ Title 59

BERGEN COUNTY COURTHOUSE
SUPERIOR COURT LAW DIV
BERGEN COUNTY JUSTICE CTR RM 415
HACKENSACK NJ 07601-7680

COURT TELEPHONE NO. (201) 527-2600
COURT HOURS

TRACK ASSIGNMENT NOTICE

DATE: DECEMBER 06, 2011
RE: DELGATTO VS HOUSTONS RESTAURANTS INC
DOCKET: BER L -009899 11

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON BRIAN R. MARTINOTTI

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 004
AT: (201) 527-2600.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: CHARLES RABOLLI JR
CARLET GARRISON KLEIN & Z
CARLET GARRISON KLEIN & ZARETSKY
1135 CLIFTON AVE PO BOX 2666
CLIFTON NJ 07015-2666

JUBRM11

CERTIFICATE OF SERVICE

I, Aytan Y. Bellin, of Yankwitt & McGuire, LLP, hereby certify that on January 4, 2012, I served the foregoing Notice of Removal by First-Class mail upon the following:

Charles Rabolli, Jr.
Carlet, Gararison, Klein & Zaretsky, LLP
1135 Clifton Avenue, Suite 104
P.O. Box 2666
Clifton, New Jersey 07015

Dated: White Plains, New York
January 4, 2012

/s/Aytan Y. Bellin
Aytan Y. Bellin